REMARKS/ARGUMENT

Applicants respond herein to the final Office Action dated June 28, 2006.

Applicants' attorneys appreciate the Examiner's continued thorough search and examination of the present patent application and the indication that claims 6-8 and 14-16 are allowed and claims 2-4 and 10-12 are objected to but will be allowable if amended.

Claims 1-16 are pending in this application. Claims 1, 5, 9, and 13 have been rejected. Claims 2-4 and 10-12 have been objected to.

In response to the Examiner's objection claim 5 was amended to correct informalities.

Claims 1, 5, 9 and 13 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,059,718 to Taniguchi et al ("Taniguchi").

Claims 2-4 and 10-12 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims were amended to improve their clarity and term consistency, no new matter was added.

Reconsideration and withdrawal of the rejection are respectfully requested.

Use of dynamic or relative coordinate system, where detected coordinates of an insertion part of an endoscope inserted into a body cavity are shifted in relation to coordinates of a reference location, is not known in the prior art. The prior art references use the operating table as a fixed or static origin or reference for coordinate systems. This kind of a coordinate system does not provide a good visual representation of actual location of the endoscope. That is because the location of the endoscope is represented by coordinates that are part of a reference system that uses the operating table as the origin. During operations or other procedures involving endoscopes patients move. Even a slightest movement of a patient disturbs all coils and markers on and inside the patient thereby disturbing the coordinate system.

An example of such a static coordinate system is provided in Taniguchi. At col. 112, lines 58-61 Taniguchi states that "marker m" indicates the Y-coordinate position of the body. The "marker m" is positioned on the operating table and is a part of the fixed or static coordinate systems. Contrary to the Examiner's assertion, in section 6 on page 3 of the Office Action mailed December 1, 2005, the "marker m" shown in Figure 156 of Taniguchi is not "same or similar" to the "first marker means" claimed in the independent claims of the present application.

The present invention is directed to a dynamic coordinate system that is not fixed to a static origin position, e.g., a fixed point on an operating table. Instead, as explained in the amendment filed on March 29, 2006, the claimed invention uses a "first marker means", which is a special structure positioned at the entry point of the endoscope to acquire coordinates of an initial reference point, i.e., coordinates at the point of endoscope insertion, as a dynamic reference. All coordinates collected from a plurality of markers located in or on patient's body are then adjusted relative to the first location coordinates.

Inventive claim 1 recites "a first marker means for marking a location on the subject at which the endoscope is inserted" and "a first location information of marker acquiring means for acquiring location information of said first marker means". This acquired location information at the endoscope entry point is a reference coordinate that is used by the invention to adjust other coordinates. Claim 1 further recites a display control means that subjects "the graphic shape data produced by the shape detecting means to coordinate processing with the location information of the first marker acquired by the first location information of marker acquiring means as a reference".

Thus, the coordinates of the first marker means can be used as a reference to adjust the coordinates of other coils/markers on and inside the patient's body, thereby creating a dynamic reference system that is not tied to the operating table on which the patient rests. Taniguchi fails to achieve that and admits it on col. 116, lines 50-55 of its specification.

Therefore, Taniguchi does not teach, describe, or suggest (a) marking a first location on the subject at which the endoscope is inserted; (b) acquiring coordinates of the first location; and (c) processing or shifting coordinates of graphic shape data using the coordinates of the first location as a reference as claimed by claim 1. Claims 5, 9, and 13 include limitations to the same effect.

Thus, Applicants' claims 6-8 and 14-16 have been allowed and independent claims 1, 5, 9, and 13 are patentably distinct from Taniguchi. Claims 2-4 and 10-12 were determined to be allowable. Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

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Respectfully submitted,

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